IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 15015 of 2006

DATED: 21-07-2006

Between:

P.S. Kumar petitioner

And

Chairman and Managing Director,
APEPDCL
D No. 30-14-9, Corporate Office, APEPDCL
Sai Sakthi Bhavan, Daba Gardens, Visakapatnam
And two others Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 15015 OF 2006

ORAL ORDER:

The present writ petition is filed seeking a direction to the respondents to extend the benefits of Regulation 30-A of the Andhra Pradesh State Electricity Board Service Regulations- Part-I to the petitioners.

Learned counsel for petitioners submitted that petitioners herein are discharging their duties as In-charge General Managers and attending to additional duties and responsibilities and entitled to higher pay in terms of Regulation 30-A of the A.P.S.E.B. Service Regulations. It is also stated that similar issue was considered and decided by this Court in W.P. No. 1085 of 2006 dated 28.3.2006 and petitioners deserves similar consideration.

Heard learned counsel for petitioner and learned Standing Counsel for respondent. Learned Standing Counsel for respondent corporation has not disputed the order in W.P. No. 1085 of 2006 dated 28.3.2006.

It is clear from the perusal of order dated 28.3.2006, that the issue raised in the present writ petition is similar to one decided by this Court in W.P. No. 1085 of 2006 dated 28.3.2006. The operative portion of the order dated 28.3.2006 reads as under:

> "From a reading of Regulation 30-A of the Regulations, it is clear that if a Board

> servant holding a substantive or officiating or temporary capacity is promoted/appointed in a substantive or officiating or temporary capacity to another post carrying duties and responsibilities of greater importance, he is entitled to pay fixation at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post. It is also clear that Regulation 30-A of the Regulations applies to a Board servant, if he is officiating or temporarily discharging another post carrying duties and responsibilities of greater importance, and he is entitled to pay fixation in terms of Regulation 30-A of the Regulations.
>
> In that view of the matter, there is no reason for depriving the benefit of pay fixation to the petitioner in terms of Regulation 30-A of the Regulations.
>
> Accordingly, there shall be a direction to the respondents to fix the pay of the petitioner in terms of Regulation 30-A of the Regulations within six weeks from the date of receipt of a copy of this order and take steps in accordance with law."

Since the issue raised in the present writ petition is squarely covered by the above judgment of this Court dated 28.3.2006, following the same, I deem it appropriate to dispose of the writ petition with the following direction.

The respondents are directed to fix the pay of the petitioners in terms of Regulation 30-A of Andhra Pradesh State Electricity Board Service Regulations- Part-I within six weeks from the date of receipt of a copy of this order and take steps in accordance with law.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATED: 21-7-2006

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THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 15015 of 2006

DATED: 21-07-2006